

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA  
DURHAM DIVISION**

IN THE MATTER OF:	)	No. B-09-81244 C-13D
Ervin D. Jones	)	
Barabra M. Jones	)	
	)	
Debtor(s)	)	

**ORDER OVERRULING OBJECTION TO CONFIRMATION**

On December 17, 2009, a hearing was held on Objection by AmeriCredit Financial Services (“AmeriCredit”) to confirmation of the Debtors’ proposed plan. At the hearing, Edward C. Boltz, Esq. appeared on behalf of the Debtors, and Benjamin E. Lovell, Esq. appeared on behalf of the Standing Trustee and stated to the Court that all matters in controversy had been settled. The Court, after considering the Objection and having heard and considered the statements of the attorney for the Trustee, finds that the Objection should be overruled; therefore, by and with the consent of the parties, it is ORDERED:

1. The Objection by AmeriCredit to confirmation of the Debtors’ proposed plan is overruled.
2. The Debtors’ proposed plan shall be modified to provide that the claim in favor of AmeriCredit is allowed as secured in the amount of \$13,005.50 with the balance allowed as unsecured.
3. All executory contracts financed in the claim of AmeriCredit are rejected pursuant to 11 U.S.C. §365 and AmeriCredit is authorized to apply any unearned premiums to its unsecured claim. AmeriCredit shall notify the Standing Trustee in writing of the amounts of the unearned premiums credited against their unsecured claim.

**PARTIES IN INTEREST**

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